

110.

## Robert Apreece Esquire his Case concerning the Election for Knight of the Shire for the County of HUNTINGTON.

*Sir John Bernard and the said Robert Apreece were Competitors for the said Knightship.*

Nov. 22.  
1673.

**T**He Election was at *Huntington*, on which day *Sir John* entered the Town with a numerous Retinue of three or four thousand Horse and Foot; the greatest part of whom were Foreigners, out of the Counties of *Northampton*, *Cambridge*, *Bedford*, and *Hertford*.

*Mr. Apreece* appeared with the majority of the Freeholders of the County, and few or no Foreigners amongst them. After the Sheriff had taken a view, a Poll was demanded.

Before the Poll began, upon the Sheriffs instance, it was mutually agreed between *Sir John* and the said *Robert Apreece*, as followeth.

1. That two of the Hundreds of the County should be Polled at the High-Sheriffs place of Polling, where *Sir John* and the said *Robert* sat with him; and the other two by the Under-Sheriff at his place of Polling, with whom sat *Sir Francis Compton* and *Sir Nicholas Pedley* and others.

2. That the Poll should continue without adjournment till ended.

3. That no Freeholders made since *February 1672*. should Vote in the Election, unless such as were so by descent or Marriage-Settlement.

4. No Minors to Vote, nor such who were not resident in the County at the Time of the Teste of the Writ.

5. That if any Person on either side should make any Disturbance during the Poll, he should be punished according to Law.

These things being thus concluded, the Poll began, and continued till all *Sir John* his Party was Polled; Which done, Proclamation was made for any others to come in; after which the High-Sheriff sat a long time, and none coming, he closed the Poll, and cast up the Votes; by which it appeared,

That *Sir John* had but 331 Votes, and *Robert Apreece* had 598; so that in the whole there were 929 Polled: And it being well known that there are but 1100 Freeholders in the County, there was but 171 more to Poll if they had been all present. So that taking it for granted all those 171 had been present and voted for *Sir John*, yet would not that have made his Number equal to *Robert Apreece* by 65 Voices. Whereupon the Sheriff proclaimed him duly Elected Knight of the Shire; and accordingly his Indenture was Sealed, and is returned with the Writ.

Object. 1. *Sir John had the majority of Votes, but the Poll was closed before all his Men were Polled, which was to his prejudice. And that this is true, the persons not Polled have testified under their hands;*

*If such List be produced.*

Answer. Many of the Persons therein named were Polled at the Election, the rest of them were either not resident in the County, or not in Town at the time of the Election; or such who *Sir John*, or some of his Agents hired to set their Hands, or were made Drunk, and then got their hands, which next day they disowned; or Freeholders made since *February*, which by Agreement were not to be admitted; or of such as either would not th. reeholders, or in truth they were, and so ght not to be admitted.

Object. 2. *There was Troop of Horse in Town, and Force was used, and the People awed by Fines imposed and threatned to be levied upon several of them for Defaults in the Militia.*

Answer. *Sir Francis Compton's* Troop hath quartered there many years, but were not in Arms that day, nor never came out of Doors, but by order were kept shut up, that so no disturbance might be made; and it is true the Militia was called together sometime before the Election; and there were some Defaulters who were fined according to the Statute by the Lieutenancy, but not one Fine levied, or Warrant issued for levying the same, nor was *Mr. Apreece* concerned therein.

Object. 3. *The Poll was illegally adjourned from the usual place of Polling to Mr. Apreece his Lodgings.*

Answer. The Adjournment was occasioned by *Sir John Bernard*, whose Party Mutinied, offered great Affronts to the Sheriff, threatned to do Mischief, and that the Streets might run down with Blood unless the Sheriff adjourned the Poll: All possible means was used by the Sheriff to appease the Disturbance, and silence the Noise, but took not effect; nor would *Sir John* endeavour the same, but protested against the Poll, so that the Sheriff was forced to adjourn to another place; and then the Question being, To what place they should adjourn? It was advised, To the great Room at the Crown, that being the place all Sessions used to be adjourned unto; which hapned to be *Mr. Apreece* his Quarters: But he left the place most of the time that the Poll continued, and Proclamation was made in every Inn to call all Freeholders to the Poll; and *Sir John* invited by several Messengers to the same, and all his Party that came were first Polled.

Object. 4. *Mr. Apreece is a suspected Papist, his Election was promoted by that Party.*

Answer. There are but two Freeholders that are in the County known to be Papists; And one of them offering to Poll for *Mr. Apreece*, he publicly refused the same in the face of the County. And the said *Apreece* hath constantly taken the Sacrament every year, and undergone the Test directed by the late Act of Parliament.

*Sir John his Election, according to the usual Proceedings of the House, ought to be avoided, though he should have hapned to have had the majority of Votes.*

1. Because many of his Voices were purchased with Money and other Gratuities.

2. Many obtained by Threatnings and Menaces.

3. He invited his Party to affront the Gentry, and appointed them not to come with Switches, but good Clubs, and encouraged and desired in many Towns all the Inhabitants to come, though they had no Voices, and bore their Charges.

4. He interrupted the Poll himself before the same was adjourned.